

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: DIGITEK® PRODUCTS LIABILITY
LITIGATION

MDL NO. 1968

THIS DOCUMENT RELATES TO ALL CASES

PRETRIAL ORDER #75
(Extension of Time for Claim Forms)

Pending before the court is the Plaintiffs' Steering Committee's ("PSC") unopposed motion for additional time for plaintiffs to file claim forms [Docket 471].

PTO #73 sets forth a claim deadline of March 15, 2011 for the claimants to file their claim forms. Recognizing the time required to obtain additional medical records, the PSC has filed the above motion for an extension of time to April 1, 2011. The PSC has filed this extension on behalf of all current settlement participants with cases filed in MDL 1968 ("MDL Cases"), claims subject to tolling agreements ("Tolled Claims"), and cases filed in state courts involving Digitek® ("State Cases"). Counsel for the defendants has indicated that they have no objection. The Special Master's office has also agreed to the deadline. Accordingly, I **GRANT** the motion. The claims set forth in PTO # 64 and 73 will be **due no later than April 1, 2011**. The claim center is currently accepting claim forms and claimants are urged to submit claim forms as soon as they are completed.

The court **DIRECTS** the Clerk to file a copy of this order in 2:08-md-1968 and it shall apply to each member Digitek®-related case previously transferred to, removed to, or filed in this district, which includes counsel in all member cases up to and including civil action number

2:11-cv-00100. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at www.wvsc.uscourts.gov.

ENTER: March 11, 2011



Joseph R. Goodwin
Joseph R. Goodwin, Chief Judge